

REMARKS

Under this Amendment applicant has filed a Terminal Disclaimer relating to its U.S. Patent No. 6,354,961, has amended Claims 1 to 12 and 20 to more clearly define over the prior art, and has cancelled Claims 13 to 19 without prejudice to the subject matter therein, and therefore reconsideration of this application is respectfully requested.

In paragraph 1 of the Office Action, it is stated that this application may be amended to claim priority based upon its U.S. Patent No. 6,354,961, but such is already claimed on page 2 of the application under a section identified as "RELATED APPLICATION", as well as in the original Oath. Thus, this suggestion is not understood.

In paragraph 2 of the Office Action, it is stated that Figs. 30 to 32 are "not included in the application. A correction is required." These were part of the original application. Copies of Figs. 30, 31 and 32 are included with the accompanying "SUBMISSION OF MISSING DRAWINGS".

Fig. 14 has been objected to because "a recess 30, a flange 32, a face wall 12, and surface 33, as described in the specification Page 33, and flange 41, as described in

the specification Page 34." These features are not in Fig. 14, so that applicant is at a loss to understand what the purpose of this requirement is.

"Likewise, in Figures 15 and 16 features 42 and 45 described in the specification are not labeled." Furthermore, applicant is unable to find any reference to elements 42 and 45 in the description on Page 34 relating to Figs. 15 and 16, so that this other objection is also not understood.

The specification is objected to because of the recitation in Claim 20 "a line of golf clubs production" lacks proper antecedent basis. This has been corrected by cancelling "production" in line 1 of Claim 20, and reinserting it before the word "golf" in line 1. Hopefully with this correction, the objection will be obviated.

Claims 4 to 20 have been rejected under 35 USC 112 because Figure 32 "is not included in the Application". This rejection is not understood but hopefully will be obviated with the submission of Figures 30, 31, and 32, in the accompanying Submission of Drawings.

Claims 1 to 20 have been rejected under the judicially created doctrine of obviousness-type double patenting rejection in paragraph 9, and Claims 1 to 3 and 13 to 19 have been rejected under the judicially created doctrine of double patenting in paragraph 10.

These rejections are believed obviated with the submission herewith of a Terminal Disclaimer. Any conflict with applicant's U.S. application Serial No. 09/955,899 can be corrected when and if this application matures into a patent or that application matures into a patent so that the latter rejection should be held in abeyance.

Claims 1 to 3 have been rejected under 35 USC 102(b) as being anticipated by the Lu, U.S. Patent No. 5,499,814, with the statement:

"Lu discloses the use of a golf club head 10 (Figures 1-5; Column 4, lines 24-29; Column 5, lines 52-64; Column 6, lines 4-67) comprising a ball striking face wall 14, a perimeter wall 42 extending rearwardly from the face wall 14, and the club head body receiving the perimeter wall and the face wall; an abutment wall 30 fixed in the club head body spaced rearwardly from the ball striking face wall and positioned sufficiently close to the face wall so the face wall impacts the abutment wall at a given club head speed as claimed by the Applicant. Lu also discloses that the face wall is thinner than 0.100 inches (Column 6, lines 4-17; Column 7, lines 30-67) and substantially parallel to the abutment wall (Figures 1-5)."

This rejection is respectfully traversed particularly with respect to Claim 1, which has been significantly amended.

The Lu patent discloses a massive structure 16 that is inserted inside the club head shell, and it creates an excessive amount of weight so that as a practical matter Lu's device and system could not be acceptable in the marketplace. The unit 16 of Lu includes the wall 16, the elements 34, and a large ring 32 that goes all the way to the inside rear of the club head.

In contrast to this design, applicant's secondary face wall 26 is very thin and formed integrally with the perimeter wall 15. Claim 1 has been amended, for example, to recite: "said secondary planar wall being formed integrally with and solely supported on the perimeter wall". This clearly defines over Lu because in Lu the secondary wall 30 is supported on the vertical elements 34 and the ring-shaped member 32. There is no connection between wall 30 and the perimeter wall in Lu and that is what yields the desirable result of greatly reducing club head weight in the present invention compared to the complex structure in Lu.

For the above reasons, the rejection of Claims 1 to 3 over Lu is believed improper and should be withdrawn.

Claims 4 to 9, 10 to 12, and 20 have been rejected under 35 USC 103(a) as being unpatentable over Lu in view of the Allen '791 patent and either Chou '081 or Kosmatka'547.

Firstly, Claim 4 has been amended in the same manner as Claim 1, so that Claim 4, as well as Claims 5 to 9, which depend directly or indirectly from Claim 4, are believed patentable over Lu for the reasons presented above. The addition of the teachings in the Allen '791 patent, the Chou, U.S. Patent No. 6,165,081, or the Kosmatka, U.S. Patent No. 6,299,547, add nothing to the above-noted deficiencies in Lu so that Claims 4 to 9 are believed patentable over the combination of Lu, Allen '791, Chou, or Kosmatka.

With respect to Claims 10, 11, and 12, these Claims have been amended to recite: "said club head body being standardized within the line and including a perimeter wall and a face wall receiving element, and a plurality of interchangeable different modulus of elasticity face walls fixed to the body face wall receiving element." Lu does not suggest having interchangeable face walls. The Allen '791 patent does not have interchangeable face walls, and neither do either the Chou or the Kosmatka patents have interchangeable face walls so it is not understood what the relevance

of this particular combination of patents relates to Claims 10, 11, and 12, so that this rejection is respectfully requested to be withdrawn. (C)

Claim 20 has been amended in the same manner as Claim 1, and it is believed patentable over the Lu patent for the reasons presented above with respect to Claim 1, and the Allen '791 patent, the Chou patent and the Kosmatka patent add nothing to the above-noted deficiencies in Lu so it is respectfully requested that Claim 20 be allowed.

Claims 14 to 19 have been cancelled without prejudice to the subject matter therein so that the rejection in paragraph 15 of the Office Action is now believed moot.